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Paper No. 8

ZITO TLP
26005 RIDGE ROAD
SUITE 203
DAMASCUS MD 20872

In re Application of:
Eric Jensen
Application No. 09/899,128
Filed: July 6, 2001
For: WIRELESS SYSTEM SIGNAL
PROPAGATION COLLECTION AND
ANALYSIS

MAIL

MAY 13 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION
ON PETITION

This is a response to the Petition for Withdrawal of the Holding of Abandonment, filed December 22, 2003, pursuant to 37 CFR §1.181. No fee is required.

Petitioner alleges that Applicant timely filed a response to a Notice to File Missing Parts mailed August 22, 2001. To support this allegation, Petitioner provides a copy of an executed declaration along with a post-card which itemizes the executed declaration, date-stamped as received by the U.S. Patent and Trademark Office on September 7, 2001. In addition to the provision of the executed declaration and post-card receipt, Petitioner also provides copies of the Notice to File Missing Parts and Notice of Abandonment.

However, a review of the application reveals that there was no Notice of Abandonment mailed for the subject application. A review of the Notice of Abandonment provided by Petitioner reveals that said Notice referenced a different application number. The application relating to the subject petition in fact has an outstanding Office action, mailed January 5, 2004.

Accordingly, the petition is Dismissed as Moot.

The application is being returned to the Technology Center 2600's central files to await a response to the outstanding Office action.

Any request for reconsideration must be submitted within TWO (2) Months from the mailing date of this decision. Extensions of time under 37 CFR 1.136(a) are not permitted. The reconsideration request should be a cover letter entitled "Renewed petition to Withdraw the Holding of Abandonment."


Dwayne D. Bost
Special Program Examiner
Technology Center 2600
Communications